

**TO THE HONORABLE JUDGES OF THE  
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF GEORGIA, ATLANTA DIVISION:**

Defendants, Comcast Corporation dba Comcast Cable and Comcast, Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC, and Comcast Communications, Inc., and Christina Gallagher (together, the “Defendants”), hereby file this Notice of Removal pursuant to 28 U.S.C. § § 1331

and 1446 on the grounds that this Court has subject matter jurisdiction over this action under 28 U.S.C. § 1331. In support thereof, Defendants state the following:

**I. INTRODUCTION**

1. On or about September 30, 2022, Plaintiff Lindsay Brady (“Plaintiff”) filed suit in the Superior Court of Cobb County, State of Georgia (“Complaint”).

***Exhibit 1, Plaintiff’s Complaint.***

2. The Complaint is styled *Lindsay Brady v. Comcast Corporation dba Comcast Cable and Comcast, Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC, and Comcast Communications, Inc., and Christina Gallagher*, Civil Action No. 22106857. ***Exhibit 1.***

3. On or about December 14, 2022, Plaintiff, through her counsel, caused a copy of the Summonses and Complaint to be served upon at least one of the Defendants through a registered agent for service of process, and Defendants’ counsel agreed with Plaintiff’s counsel that service was effective upon all Defendants on such date. ***Exhibit 2, Service of Process.***

4. Defendants timely file this Notice of Removal within the thirty (30) days provided under 28 U.S.C. § 1446(b).

## **II. NATURE OF THE SUIT**

5. In the Complaint, Plaintiff, a former employee of Defendant Comcast, alleges disability discrimination and retaliation in violation of the Americans with Disabilities Act of 1990 as amended by the Americans with Disability Act Amendments of 2008 (“ADA”), 42 U.S.C. § 12101 et seq. *Exhibit 1, ¶ (i)*.

## **III. BASIS FOR REMOVAL**

6. Defendants seek to remove this suit on the basis of federal question jurisdiction under § U.S.C. 1331.

7. As provided in 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the ... laws ... of the United States.” 28 U.S.C. § 1331.

8. This action involves a federal question because Plaintiff asserts claims under a federal statute – the Americans with Disabilities Act.

9. As required by 28 U.S.C. § 1446(d), Defendants state that a copy of this Notice of Removal will be filed with the Clerk of Superior Court for Cobb County, Georgia, promptly after filing this Notice. Defendants further state that a true and correct copy of this Notice will be served on Plaintiff.

10. The United States District Court for the Northern District of Georgia, Atlanta Division, encompasses the location of the Superior Court in which this

action was originally filed. 28 U.S.C. § 1446(a) (the state case shall be removed to “the district court of the United States for the district or division within which such action is pending”).

11. Defendants request the Court assume jurisdiction of this case, pursuant to 28 U.S.C. § 1441, U.S.C. § 1446, and 28 U.S.C. § 1331.

12. The jurisdictional basis for removal of this action to the United States District Court for the Northern District of Georgia existed at the time the Complaint was commenced and exists as of the time this Notice is filed.

13. Defendants have attached to this Notice all pleadings, process, orders, and other filings in the State Court Action, as required by 28 U.S.C. § 1446(a).

***Exhibits 1 and 2.***

14. WHEREFORE, Defendants respectfully give notice that the action pending in the Superior Court for Cobb County, Georgia, styled as *Lindsay Brady v. Comcast Corporation dba Comcast Cable and Comcast, Comcast Cable Communications Management, LLC, Comcast Cable Communications, LLC, and Comcast Communications, Inc., and Christina Gallagher*, Civil Action No. 22106857, is removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

**WHEREFORE**, Defendants pray that this Notice of Removal be deemed good and sufficient, and that Plaintiff's state court action be removed into this Court for trial and determination as provided by law, and that this Court enter such orders and issue such process as may be proper to bring it copies of all records and proceedings in such civil action and proceed as if it has been originally commenced in this Court.

Respectfully submitted on this, the 12th day of January, 2023.

/s/ Joseph P. Shelton

Joseph P. Shelton

Georgia Bar No. 640630

**FISHER & PHILLIPS LLP**

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*Counsel for Defendants*

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1D**

The undersigned certifies that the foregoing Notice of Removal has been prepared using 14-point Times New Roman Font in compliance with Local Rule 5.1.

/s/ Joseph P. Shelton

Joseph P. Shelton

Georgia Bar No. 640630

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**LINDSAY BRADY,**

**Plaintiff,**

**v.**

**COMCAST CORPORATION dba  
COMCAST CABLE and COMCAST;  
COMCAST CABLE COMMUNICATIONS  
MANAGEMENT, LLC; COMCAST CABLE  
COMMUNICATIONS, LLC; and COMCAST  
COMMUNICATIONS, INC., and  
CHRISTINA GALLAGHER,**

**Defendants.**

**Civil Action No.:**

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**CERTIFICATE OF SERVICE**

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I, Joseph P. Shelton, hereby certify that on this, the 12th day of January, 2023, I electronically filed the foregoing ***Defendants' Notice of Removal*** with the Clerk of Court using the CM/ECF system. I further certify that on January 12, 2023, I caused to be served a true and authentic copy of the foregoing via U.S. Mail, postage prepaid, and electronic mail, upon the following counsel of record:

E. Ray Stanford, Jr.  
STANFORD IO LAW GROUP LLC  
P.O. Box 19161  
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/s/ Joseph P. Shelton

Joseph P. Shelton

Georgia Bar No. 640630